

REMARKS:

In the Office Action,¹ the Examiner rejected claims 9-12, 14-18, and 27-29 under 35 U.S.C. § 102(e) as being anticipated by Matsuzaki et al. (U.S. Pat. No. 6,289,314) ("*Matsuzaki*"). Next, the Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki*. Then, the Examiner rejected claims 19-24, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of Christiano (U.S. Patent No. 5,671,412) ("*Christiano*"). Finally, the Examiner rejected claims 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki* in view of *Christiano* and further in view of Shimakawa et al. (U.S. Patent No. 6,502,124) ("*Shimakawa*").

Applicant respectfully traverses the rejection and requests that the Examiner enter the following amended independent claims as shown above: 9, 11, 17, 19, 21, 24, 25, 27, 28, 30, and 31. In particular, Applicant amends each of the claims listed above to require that the "registration area stores usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible." In addition, Applicant cancels claims 14 and 29, and amends claims 15 and 16 to depend from claim 11 rather than canceled claim 14.

In the Office Action, the Examiner continues to rely on *Matsuzaki* to support the section 102 and 103 rejections. In particular, the Examiner relied on col. 15, lines 39-61 and Figs. 2 and 3 of *Matsuzaki* as disclosing "ID information (SAM ID)" as recited in

¹ The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

the pending claims. Notably, the Examiner alleges: "the terminal managing portion 25, more particularly, the terminal info storing portion 252, stores qualification information about the terminal." Office Action at p. 17. Further, the Examiner alleges that the connections illustrated in Figs. 2 and 3 refute Applicant's argument that *Matsuzaki* "judges whether the receiving device 21 has qualifications, not whether the terminal 3 has qualifications." Office Action at pp. 17-18.

Matsuzaki is directed to a system for providing pay information that is "capable of obtaining a charge for use in response to an actual degree of use at a user's side." Col. 3, lines 41-45. That is, *Matsuzaki* discloses a system with a coefficient of basic charge that varies depending on how many users are assumed to use the pay information. Col. 17, lines 18-40. For example, where a plurality of users are assumed to use the pay information, the coefficient of basic charge is set to "1.5." *Id.* Similarly, where only one user is assumed to use the pay information, the coefficient of basic charge is set to "0.8." *Id.* Nevertheless, varying the amount of payment being charged to the user does *not* disclose or suggest stored details describing the manner in which content is reproduced or duplicated. Therefore, *Matsuzaki* does not disclose that the "registration area stores usage details including *how* [the] contents can be *reproduced or duplicated*, and whether control transfer is possible," as required by the amended claims (emphasis added).

Further, *Matsuzaki* fails to disclose at least that the "registration area stores usage details including how [the] contents can be reproduced or duplicated, and whether control transfer is possible," as required by claims 19, 21, 24, 25, 30, and 31. Claims 10, 12, 13, 15, 16, 18, 20, 22, 23, and 26 depend from one of claims 9, 11, 17,

19, 21, or 25, and therefore are distinguishable over *Matsuzaki* for at least these same reasons.

To support the rejections under 35 U.S.C. § 103(a), the Examiner cited *Christiano* and *Shimakawa*. *Christiano* discloses a software license management system where “[t]he number of license units requested can be more than one if, for example, the requester desires to use more than one copy of a program.” Col. 19, lines 28-30. *Shimakawa* discloses a method and an apparatus that “can prevent a greater number of softwares [sic] than a contracted license number from being installed in a server-client system.” Abstract. However, neither reference discloses that the “registration area stores usage details including *how* [the] contents can be *reproduced or duplicated, and whether control transfer is possible*,” as required by claims 19, 21, 24, 25, 30, and 31 (emphasis added).

It follows, therefore, that none of *Matsuzaki*, *Christiano*, or *Shimakawa*, taken alone or in combination, establish a *prima facie* case of obviousness as asserted by the Examiner. Hence, claims 13, 19-26, 30, and 31, rejected under 35 U.S.C. § 103(a), are distinguishable over the cited art.

In summary, claims 9-12, 15-18, 27, and 28 are not anticipated by *Matsuzaki*. Additionally, claims 13, 19-26, 30, and 31, are allowable in view of any reasonable combination of the cited art.

Applicant respectfully requests entry of this amendment after final as placing the application in condition for allowance. Alternatively, Applicant submits that the entry of this amendment after final would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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